



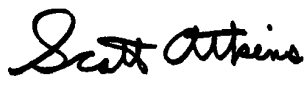
RW MANUAL CHANGE
(1993 Edition)

RWMC--59



PROCEDURAL HANDBOOK
(1984 Edition)

RWPH: - - -
TRANSMITTAL#

TITLE POLICY	APPROVED BY  SCOTT ATKINS	DATE ISSUED January 7, 2000 Page 1 of 2
SUBJECT AREA Chapter 2 - Policy	ISSUING UNIT Office of Planning and Management	
SUMMARY OF CHANGES Replacement of Chapter 2, "Policy," in its entirety.		

PURPOSE

2.01.01.00 Overview of the Program

Title change

2.01.01.01 Function

Adds new section describing the Right of Way function.

2.01.01.02 Organization

Adds new section describing the Right of Way organization.

2.01.02.00 Purpose

Section title change. Adds new Right of Way purpose statement.

2.01.03.00 Mission

Section title change. Adds new Right of Way **mission** statement.

2.01.04.00 Vision

Section title change. Adds new Right of Way vision statement. "Goals" can now be found on the **R/W** Intranet web page, **as** R/W's goals change with new business strategies **from** year to year.

2.01.05.00 Goals

Deletes section as goals could change yearly.

2.02.01.00 Transportation Project Development process

Adds clarifying language for when a project ends.

2.02.02.00 Caltrans Project Management

Deletes reference to Right of Way Streamlining Task Force, and reference to R/W project Coordinator Handbook.

2.03.03.00 Responsibility

Minor clarifications to chart. The Training Guide is being deleted **from** the text, but will be shown as an exhibit in a future **R/W** Manual revision.

PURPOSE (Continued)

2.04.00.00 Right of Way Administration

Most changes made to update new **R/W** title from **RW&AM** to **R/W** or **HQ R/W**.

2.04.03.01 Annual R/W Fact Sheet

The R/W Annual Report has been replaced with the **R/W** Annual Fact Sheet, now found on the **R/W** Internet and **Intranet**. Accordingly, the last paragraph of this section has been deleted.

2.05.00.00 Delegation Matrices

Title change. The delegation matrices include numerous new delegations consistent with maximizing delegations to regions/districts. The delegation process also provides for each region/district to determine and enter appropriate subdelegation authorities on the matrices. A copy of the delegation matrices reflecting region/district-approved subdelegation levels and current revisions thereto is to be forwarded to HQ records.

BACKGROUND

Changes were made to reflect better direction **from** management. Additionally, per Director's Policy # 16 dated December 1, 1994, and Executive Order #98-21 dated July 2, 1998, the R/W Program Manager now directly issues program delegations and disseminates them through the R/W manual.

PROCEDURES

This chapter updates and replaces the Right of Way Manual Chapter 2, "Policy," in its entirety. This transmittal (RWMC-59) replaces **IRWMC-16** issued on July 9, 1998. **IRWMC-16** transmitted delegation matrices to bring current all prior corporate delegations. This transmittal does not change the prior **IRWMC-16**. Regions/Districts are already processing appropriate individual subdelegations consistent with **IRWMC-16** and this transmittal (RWMC-59).

EFFECTIVE DATE

December 1999.

MANUAL IMPACT

- Insert the attached pages in the Right of Way Manual and remove the old.
- Record the action on the Revision Record.

REVISION SUMMARY

<u>Chapter</u>	<u>Remove Old Page</u>	<u>Insert New/Revised Page</u>	<u>Replace Interim Change</u>
2 - Sections	Table of Contents	Table of Contents (Rev. 12/99)	IRWMC- 16
	Entire sections 2.01 through 2.05	Entire sections 2.01 through 2.05 (Rev. 12/99)	"
	Delegation Matrices (Rev. various dates 1994-96)	Delegation Matrices (Rev. 12/99)	"

CHAPTER 2
POLICY
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2.00.00.00 - POLICY

2.01.00.00 - PURPOSE/MISSION/VISION/GOALS

2.01.01.00 Overview of the Program

2.01.01.01 Function

The Right of Way Program serves the real estate needs of Caltrans. The two primary responsibilities are :

- Appraising and purchasing property required for transportation purposes; effecting an orderly relocation of affected families, businesses, and utility facilities; and clearing of properties prior to construction.
- Comprehensively managing Caltrans' real property for transportation purposes, reducing the costs of operations, and disposing of property no longer needed.

Right of Way also has the responsibility for:

- Monitoring right of way activities on federally assisted local facilities.
- Maintaining a stewardship role in the expenditure of federal funds.
- Ensuring local agency compliance when local funds are used for projects on the State Highway System.
- Permitting and monitoring for compliance outdoor advertising along State highways.

2.01.01.02 Organization

The Program has a professional staff of Right of Way agents, administrators, and others who

perform a vital role in the delivery of right of way for transportation projects and in managing other real estate assets related to those projects. It is headquartered in Sacramento and has branches in each of the 12 district offices.

2.01.02.00 Purpose

Right of Way administers the statewide program for right of way acquisition and real property management in support of Caltrans' purpose, mission, vision, and goals.

2.01.03.00 Mission

To provide property rights for the construction of transportation projects on time and within budget.

2.01.04.00 Vision

Our vision is to be the best right of way organization - professional, innovative, and successful in everything we do. We continuously set new standards of excellence in our field. We take pride in delivering quality products and services that meet or exceed our customers' needs. Right of Way provides an environment that fosters teamwork, trust, ethical behavior, care and respect for the individual, personal and professional growth, and development of our staff as leaders.

2.01.05.00 District Divisions of Right of Way

Each District Division of Right of Way shall develop its own purpose, mission, vision, and goals statements that shall be consistent with those of the Department and the Right of Way Program.

NOTES:

2.02.00.00 - PROJECT DEVELOPMENT

2.02.01.00 Transportation Project Development Process

The transportation project development process starts with initiation of feasibility studies in accordance with the Project Development Procedures Manual (PDPM). The process covers project report studies, community interaction, environmental studies, clearance documents, alternatives, and public hearings all leading to completion of the plans, specifications, and estimates (PS&E), and ends with the completion of construction. Current Department policy requires that project reports be prepared on all transportation development and improvement projects. Right of Way participates in this process by being part of the project development team and by producing a R/W Data Sheet, which contains the estimated R/W capital outlay requirements for the project.

2.02.02.00 Caltrans Project Management

The Department has embraced project management as its methodology for carrying out its transportation project development mission. Project management emphasizes planning, monitoring, and managing project delivery activities and resources to deliver the right project, at the right time, within budget, and with the quality promised. Project management emphasizes communication in a team-based environment. The project manager, functional managers, project management support personnel, and district managers work together to deliver the project. As part of this effort, the Department has developed a Project Management Handbook that sets forth the policies, goals, organizational structure, and roles and responsibilities of the project management organization. Right of Way participates as an active member of the project management team, generally as a functional team member.

To support the Department's project management program, each District Division of R/W has created a R/W Project Coordinator position. Establishment of the R/W Project Coordinator position in each district is responsive to customer needs and results in enhanced communication among branches in the Department, thereby aiding in project delivery and bringing projects in on time and within estimated

cost. The specific duties and responsibilities of the R/W Project Coordinator are set forth in the R/W Project Coordinator Handbook.

2.02.03.00 Hazardous Waste

The Department's policy in the development of **transportation projects is to consider fully all** aspects of potential hazardous waste sites. Contaminated property is acquired only after adequate prior investigation and proper contractual and valuation safeguards are incorporated in the property acquisition process. The property owner shall complete remediation of contamination, if possible, prior to the Department's acquisition of the property. Where cleanup by the owner prior to acquisition is not possible, an exception to the policy must be requested from the Deputy Director, Project Development and Deputy Director, Planning. The PDPM sets forth the exception **process and items to be addressed in the exception** request. (See also memo dated August 16, 1995, Approval Process for Acquisition of Hazardous Waste Contaminated Property, Weaver/Hendrix.)

Project Development is the lead unit responsible for identifying, investigating, and cleaning up hazardous waste on required right of way. Right of Way, as part of the project development team, assists in the identification and investigation phases whenever possible and provides the primary source of contact with property owners and operators. Each district has a designated district R/W **hazardous waste/materials coordinator**. See Manual Section 7.04.12.00 for R/W's role in this phase of project development and valuation considerations relating to hazardous waste properties.

2.02.04.00 Risk Taking

Right of Way is constantly challenged with new laws, regulations, and policies and the application of policies and procedures to real-life situations. Right of Way sometimes faces unique situations that require judgment decisions when specific **guidance for forming the decision is not available** from law, regulations, or policies and procedures. Right of Way sometimes must take calculated risks to deliver its product. The following statement

provides some guidance for making decisions involving risk taking:

A RISK is defined as a legal and planned deviation in business practices or policy application consistent with delegated authority and a fiduciary position that results in time or dollar economies for the Department.

Prior to making a decision regarding a risk situation, the following factors should be considered:

- Is the risk decision legal?

- Is this informed decision consistent with the Department's policy and practice of being good stewards of our assets?
- Is the decision consistent with delegated authority?
- Does the decision consider the rights of those involved?
- Does the decision consider the corporate view?

2.03.00.00 - TRAINING AND DEVELOPMENT

2.03.01.00 Philosophy

R/W is committed to developing and maintaining a highly qualified and motivated work force that is representative **of California's diverse population**. Inherent in this commitment is the belief that a well-trained and motivated work force will improve **efficiency**, reduce costs, and offer an increased level of service to our customers.

2.03.02.00 General

Employees in R/W possess distinct and specialized skills. Additionally, all employees are expected to have basic computer literacy, good communication and interpersonal skills, and familiarity with the functions R/W performs.

Both formal and informal training is required for all employees. Formal training is offered in accordance with Caltrans' policies and falls into the following categories: mandated, job-required, job-related, personal development, upward mobility, and **career-related**. The formal training outlined in this section does not include mandated State and Department training courses required of all employees. Informal training refers to on-the-job **training** and is an essential element in our philosophy of developing well-trained employees.

2.03.03.00 Responsibility

All R/W employees share responsibility for developing and maintaining a well-trained work force. (See chart below.)

Employees' attainment of professional designations from associations such as the IRWA or the Appraisal Institute is beneficial to R/W. While it is the employee's prerogative to attain such designations, R/W will support this endeavor to the degree that it benefits the State.

2.03.04.00 Training Standards

Training standards are structured to give all employees basic knowledge of R/W operations and to **provide skills necessary** for optimum job performance. Each district, however, must ultimately assess its own needs, its available resources, and the personnel involved when determining employees' training.

A general orientation process is an important step in training employees new to R/W. The checklists (Exhibit 2-EX-1, Supervisor's Report of Employee Orientation, and Exhibit 2-EX-2, Orientation to Right of Way Functions) are guides for the first-line supervisor to follow to ensure that all employees become familiar with Caltrans in general and R/W in **particular**.

- . **R/W Managers** - are responsible for coordinating, scheduling, funding, and monitoring statewide training courses and for developing new courses and training instructors.
- **Region/District R/W Managers** - are responsible for **planning** the training needs of district employees; maintaining training records; tracking, requesting and optimizing local funding for training; and identifying and providing personnel to be trained and used as instructors.
- . **First-Line Supervisors** - are the primary managers and providers of training in their role as mentors. They are also responsible for developing an Individual Development Plan (IDP) for each employee and reviewing and updating it when a change in supervision occurs; completing probationary reports for new employees; annually reviewing **and** updating each employee's training history; and assessing the employee's training needs and incorporating these into the IDP.
- . **Employees** - are ultimately responsible for their own personal **and** professional development. This includes assuming personal and fiscal responsibilities for developing some skills and abilities. They are responsible for identifying training needs to be included in their IDPs; for fully participating in assigned training; for seeking **training opportunities to improve job performance and self-development (including performing on task forces**, seeking developmental assignments outside R/W, serving on exam panels, serving as instructors, taking short-term assignments in other districts); for developing mentor and lead person skills to assist in training others; and for maintaining a current, personal **training history**.

NOTES:

2.04.00.00 - RIGHT OF WAY ADMINISTRATION

2.04.01.00 Title VI, Civil Rights Act

Title VI, Section 601 of the Civil Rights Act of 1964 states:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

The Department of Transportation’s policy is to provide equal opportunity and full access of its programs, services, and information to all segments of the public without regard to race, gender, creed, color, religion, national or ethnic origin, age, marital status, or disability. R/W’s implementation assures that all services and benefits to be derived from any R/W activity will be administered in accordance with this policy.

2.04.01.01 HQ R/W Responsibilities

R/W will designate a R/W Title VI Coordinator whose primary responsibilities are:

- Assist the Department’s Title VI Officer in HQ to process complaints pertaining to R/W issues by obtaining facts, witnesses and necessary statements, and to recommend corrective action and case resolution.
- Attend necessary appeals hearings and expedite resolutions.
- Serve as liaison between the Affirmative Action Officers in the districts and the Title VI Officer in HQ.
- Evaluate district performance for compliance with Title VI laws and regulations, delivery of the Title VI survey, and maintenance of Title VI records.
- Review and recommend needed changes in policy.

2.04.01.02 District R/W Responsibilities

District R/W Agents providing services to the public must deliver the following Title VI information to property owners, tenants, and relocatees during their first contact.

- “Working Together Works” booklet
- Statutes and Regulations, Exhibit 2-EX-3
- Complaint Process, Exhibit 2-EX-4
- Survey Form, RW 2-1, with a self-addressed, stamped envelope
- Discrimination Complaint Form, RW 2-2

Additionally, Agents shall document delivery of the Title VI information with an appropriate diary entry.

District P&M shall gather and maintain the voluntary Title VI survey forms, identified by parcel number only, and assure that no personal information is held in any individual parcel file.

Districts will make Title VI survey information available to any appropriate HQ R/W or other reviewer for audit purposes.

2.04.02.00 R/W Roster

The R/W Roster Coordinator initiates, assembles, and distributes the R/W Roster, which serves as a resource for information on personnel in R/W classifications statewide. Publication is not less than twice a year in January and July.

The Roster is divided into the following three sections:

- Personnel (classifications, hires, retirements)
- Organization Charts
- Telephone Lists

Each District Division of R/W shall appoint a district roster coordinator, who will provide accurate information in a timely manner upon request.

2.04.03.00 Statistical Reports

2.04.03.01 Annual R/W Fact Sheet

Each year HQ R/W prepares the Annual R/W Fact Sheet, which compiles production statistics and provides an overview of R/W activities during the preceding fiscal years. The report is an internal document intended primarily for R/W's use.

Headquarters R/W has overall responsibility for initiating, assembling, and finalizing the report. The various branches within HQ R/W and district R/W are required to supply certain data upon request. Information should be provided as quickly and accurately as possible following receipt of the request.

Headquarters R/W must maintain a well-documented file while the report is being prepared and ensure the information is available for current and future review.

2.04.03.02 Federal Report

"The Agency shall submit a report of its real property acquisition and displacement activities under this part if required by the Federal agency funding the project." (Ref. 49 CFR 24.9[c])

The federal report pertains to those activities subject to provisions of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 where federal or federally-assisted funds are involved in any phase of a project. This includes projects under the Combined Road Plan, State/Local Cooperative Agreements, and where there is sales tax initiative funding.

The district prepares Form RW 10-4, "Uniform Relocation Assistance and Real Property Acquisition Statistical Report," for the 12-month period ending September 30 of each year. The report is submitted to HQ P&M no later than October 15. Instructions for use and completion of the form are printed on the reverse side of the form.

2.04.04.00 Forms, Records, and File Administration

Headquarters P&M is responsible for maintaining R/W's record systems and for assuring that policies and procedures set forth in the Caltrans records management and forms management programs are adhered to.

2.04.04.01 Records and File Administration

The Program Manager appoints a R/W Records Officer to manage the records program in R/W.

HQ Responsibilities:

- Control access to public records
- Assure confidentiality of personal information
- Assure application of appropriate technology to all records and file management-related activities
- Approve requests for filing and storage equipment
- Consult with and advise managers in all matters pertaining to records and file management

Statewide Responsibilities:

- Maintain and revise the statewide R/W Records Retention Schedule
- Coordinate input to Annual Records Inventory
- Act as liaison between HQ and district R/W for matters pertaining to R/W records

2.04.04.02 Records Retention Schedule

Departmental policy states that a Records Retention Schedule, Std. 72, shall be established for all record series under each Program's functional control and shall include records held in HQ, district offices, and storage. A complete revision is required every five years and may be updated as retention requirements change.

The R/W Records Officer shall maintain and distribute the schedule to district R/W Records Officers and P&M offices as changes are made.

2.04.04.03 Forms Management

R/W appoints a Forms Officer to bring the Program into compliance with applicable laws and regulations of the Department's forms management program. Duties include:

- Act as liaison between HQ and district R/W on issues pertaining to forms management.
- Maintain an index of R/W forms to assure adherence to forms design standards.
- Review forms for compliance with the Information Practices Act.
- Enforce provisions of the Information Practices Act to assure confidentiality of all personal information gathered.
- Prepare statewide input for the annual Information Practices Act report.
- Approve all requests to print, design, and order forms.
- Take advantage of opportunities for use of new technologies.

NOTES:

2.05.00.00 - DELEGATION MATRICES

Pursuant to Director's Policy #16 dated December 1, 1994, and Executive Order #98-21 dated July 2, 1998, the R/W Program Manager issues, updates, and disseminates Program delegations directly to the Regions/Districts through the R/W manual revision process. As before, delegations transfer to Region/District Directors, and by separate subdelegation order from Region/District Directors to Region/District Division Chiefs - R/W, and thereafter to the designated position.

The delegation matrices identify specific delegations to Regions/Districts, and also identify the Region/District subdelegation level of approval

required for actions within each R/W function. The delegation process now provides that each Region/District will determine, approve, and enter its own subdelegation authority levels on the following matrices.

To complete the subdelegation process, each Region/District determines and processes appropriate subdelegation orders, enters those approved authorities in the appropriate matrix column, and thereafter maintains subdelegation records and revisions. A copy of the delegation matrices reflecting Region/District approved subdelegation levels and current revisions thereto is to be forwarded for HQ records.

CHAPTER 5, 8, 9
STATEWIDE DELEGATION SUMMARY - ACQUISITION

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CHAPTER/SECTION

		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
5.03.01.00	Hardship Acquisitions					
5.03.06.03	Hardship Appeals Board Final Disposition			NOT DELEGATED		
5.04.01.00	Protection Acquisitions					
8.01.07.01	Waiver of RAP Benefits					
8.01.13.00	Negotiations With Unapproved Appraisal Report or Conditionally Approved Appraisal Report					
8.01.16.00	Exchanges of Noncontiguous or Yet-to-Be-Acquired Land			NOT DELEGATED		
8.01.20.00	Substantial Payment for Out-of-Pocket Expenses			NOT DELEGATED		
8.01.26.00	Payment for Parcels Appraised as Nominal					
8.01.27.00	Administrative Authorizations					
8.01.28.00 (8.01.28.01)	Nonsubstantial Administrative and Legal Settlements (Where Difference Between Approved Appraisals and Proposed Settlement Is Less Than \$1 Million)					
8.01.28.00 (8.01.28.01)	Substantial Administrative and Legal Settlements (Where Difference Between Approved Appraisals and Proposed Settlement is \$1 Million or More)			NOT DELEGATED		
8.01.29.00	Limiting Conditions of Easements in Limited Vertical Dimension					
8.01.30.00	State Rental of Residential or Commercial Units Prior to Acquisition					
8.01.31.00	Reinstatement of Offer on Parcels Not in the Current STIP			NOT DELEGATED		
8.03.02.00	Contractual Contingency Occurring More Than 3 Years Following Acceptance of R/W Contract					

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CHAPTER 5, 8, 9
STATEWIDE DELEGATION SUMMARY - ACQUISITION

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CHAPTER/SECTION

		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
8.03.07.00	Contracts Which Require Approval by HQ R/W Program (Nonstandard Form of Indenture on Railroad Operating Property, Acquiring Private Property for Private Use, Exchanges of Noncontiguous Excess Land)				NOT DELEGATED	
8.06.22.00	Partial Acquisition – Owner Requests Total Acquisition					
8.09.09.00	Right of Entry Prior to Appraisal Process Involving Exceptional Circumstances or of an Emergency Nature					
8.16.01.03	Contaminated Properties - Use of Nonstandard Clauses				NOT DELEGATED	
8.21.04.02	Approval of Memorandum for Condemnation of State Park Areas				NOT DELEGATED	
8.21.05.01	Execution of Agreement for Transfer of Control and Possession				NOT DELEGATED	
8.25.05.00	Use of Standard Form of Agreement, "Material Agreement"/"Disposal Agreement"					
8.26.03.00	Determination if Water Stock is Appurtenant to Land				NOT DELEGATED	
8.61.07.00	Authority to Change Escrow Instructions After Scheduling					
8.63.06.00	Signing of Claim Schedules					
8.64.02.00	Execution of Certificate of Acceptance (Requires Power of Attorney)					
8.64.03.00	Deeds Containing Nonstandard Recitals					
8.65.02.00	Donations of Unimproved Land Valued Over \$2,500 and Not Obtaining a Title Report				NOT DELEGATED	
8.65.04.00	Preparation of Service Contracts With Title and Escrow Companies				NOT DELEGATED	

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CHAPTER 5, 8, 9
STATEWIDE DELEGATION SUMMARY - ACQUISITION

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CHAPTER/SECTION

8.65.04.00	Title Company Contract Rates	North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
8.69.03.04	Application for New or Renewal of a Railroad Franchise, or Rearrangement or Construction Impacting State Highway or Freeway (HQ Review and Comment Will Be Required)					
8.69.05.00 (8.69.13.00; 8.69.19.00; 8.69.20.05; 8.69.20.06)	Railroad Acquisitions – Nonstandard Clauses in R/W Contract, Deeds, Indentures, and Easements					
8.69.17.04	Purchase of Track					
8.69.24.03	Execution of Railroad Right of Entry					
9.01.04.00	Notice of Intent to Adopt Resolution of Necessity					
9.01.13.00	Adoption of Resolution of Necessity					
9.08.01.00	Request for Transfer of Funds					
9.08.09.00	Order for Possession – Emergency Situations – No Appraisal					

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NOT DELEGATED

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CHAPTER 15
STATEWIDE DELEGATION SUMMARY - AIRSPACE

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CHAPTER/SECTION

		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
15.02.01.02	Establish Inventory (Subject to FHWA Approval)					
15.08.04.00	Maintain Inventory					
15.08.04.00	Deletions From Inventory					
15.02.02.01	Approval of Internal Uses					
15.03.03.00	District Prepare an Annual Marketing Plan					
15.03.04.00	Execution of Standard Broker's Commission Agreements and Letters of					
15.06.04.02	Understanding (After AAC Approval)					
15.04.01.07	Three-Year Directly Negotiated Nondevelopment Agreement					
15.06.01.00	Approval/Execution of Standard Rental Agreements					
15.06.02.00	Approval/Execution of Standard Short-Term Bid Leases (5 Years)					
15.02.01.00	Approval/Execution of Standard Long-Term Airspace Ground Leases - Nonbuilding					
15.04.04.00	Approval of Nonstandard Leases and Agreements				NOT DELEGATED	
15.04.01.08	Execution of Wireless Telecommunication Master License Agreements				NOT DELEGATED	
15.04.01.04	Approval/Execution of Any Long-Term Building Development Leases				NOT DELEGATED	
15.06.04.00						
15.02.01.00	Approval of Standard Park (Marler-Johnson) Leases					
15.05.06.00	Approval of Seismic Retrofit Rental Adjustments					
15.05.07.00						

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CHAPTER 15
STATEWIDE DELEGATION SUMMARY - AIRSPACE

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CHAPTER/SECTION

		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
15.05.06.00	Reducing the Minimum Bid Below 75 Percent of Bid Valuation, the Previous Minimum Bid, or the Previous Lease Rate					
15.06.10.04	Approval of Subleases and Assignments					
15.06.10.05	Approval of Amendments (After AAC/CTC Approves Major Changes to Terms and Conditions)					
15.04.01.03	Requests for Approval From the FHWA, AAC/CTC, and Other External Agencies	NOT DELEGATED				
15.04.01.04						
15.06.13.00						
15.07.04.00	Approval of the PSR Addressing Safety Issues of Developing Underneath a Highway Structure					
15.07.09.00	Approval of a Lease or Renewal of a Site Confirmed to Contain Hazardous Waste or Materials					

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CHAPTER 7

STATEWIDE DELEGATION SUMMARY - APPRAISAL

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CHAPTER/SECTION

		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
7.01.07.00	Dual Appraisal Requirements				NOT DELEGATED	
7.01.07.01	Waiver of Dual Appraisal – Up to \$1,000,000 if Not Complex or Controversial					
7.01.07.01	Waiver of Dual Appraisal – Complex or Controversial or Over \$1,000,000				NOT DELEGATED	
7.01.15.00	Review Appraiser Concept and Process					
7.01.16.00	Approval Authority – Up to \$1,000,000 if Waiver of Dual Appraisal Granted, Otherwise Limit is \$500,000					
7.01.16.00	Approval Authority - \$1,000,000 and Over				NOT DELEGATED	
7.01.16.00	Approval Authority – Full-Take SFR, No Dollar Limit					
7.01.16.00	Approval Authority – Nonresidential Rent Determinations Under \$2500/Mo.					
7.02.08.00	Parcel Groups – Integrated Operation					
7.02.10.00	Replacement Housing Valuations					
7.02.12.00	Noncomplex Valuations of \$10,000 or Less					
7.02.13.00	Determination of Just Compensation					
7.03.04.02	Appraisal of Excess Property for Acquisition - Uneconomic Remnants to the Owner					
7.03.04.03	Appraisal of Excess Property for Acquisition - For Convenience of Owner					
7.03.04.04	Appraisal of Excess Property for Acquisition to Avoid Large Windfall RAP Payments to SFR Owner-Occupants					

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CHAPTER 7
STATEWIDE DELEGATION SUMMARY - APPRAISAL

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CHAPTER/SECTION

		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
7.10.06.00	Memorandum of Adjustment					
7.10.07.00	Statement of Value - Acquired Property					
7.13.20.00	Protection Parcels (Requires Prior Project Development Approval)					
7.13.40.00	Staff Litigation Reports					
7.13.60.01	Railroad Properties		NOT DELEGATED			
7.14.02.00	Excess Land and Fair Market Appraisals – Direct Sale to Private Parties up to \$500,000					
7.14.02.00	Excess Land and Fair Market Appraisals – Direct Sale to Private Parties \$500,000 and Over		NOT DELEGATED			
7.14.02.00	Excess Land and Fair Market Appraisals – Direct Sale to Public Agencies up to \$1,000,000					
7.14.02.00	Excess Land and Fair Market Appraisals – Direct Sale to Public Agencies \$1,000,000 and Over		NOT DELEGATED			
7.14.03.00	Public Sale Estimates					
7.15.02.00	Airspace Estimates					
7.15.03.00	Airspace Appraisals		NOT DELEGATED			
7.15.04.00	Bid Lease Valuations					
7.15.05.00	Rental Rate Appraisals					
7.17.10.00	Business Goodwill Appraisals		NOT DELEGATED			

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CHAPTER 16
STATEWIDE DELEGATION SUMMARY - EXCESS LAND

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CHAPTER/SECTION

		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
16.01.05.00	Review of Appraisal Maps					
16.01.09.00	Excess Lands Parcel Summary RW 16-1					
16.02.04.00	Requests for Approval to RPRRC to Hold Excess Land					
16.02.04.00	Approval to Hold Excess Land			NOT DELEGATED (RPRRC Chair)		
16.04.01.00	Appraisals of Properties Proposed to Be Leased to a Local Government Agency Pursuant to Section 104.15 of the Streets and Highways Code (Porter Bill)					
16.11.14.00	Market Value Appraisals Valid for One Year Unless, in Opinion of Excess Land Manager, Significant Change Warrants Re-Appraisal					
16.05.02.00	Conveyances of Excess Property Requiring CTC Final Approval			NOT DELEGATED		
16.05.03.01	Incorporation of Excess Parcels Within Operation Right of Way					
16.05.03.02	Inter-Program Transfers (Accounting Transaction) RW16-1					
16.05.04.02	Option Period Exceeding 180 Days					
16.05.04.04	First Offering 75-100 of PSE					
16.05.04.04	Subsequent Offerings Minimum Bid May Be Reduced to 60 Percent or More of PSE Regardless of Valuation					
	For a minimum bid of less than 75 percent for the first or subsequent offerings, the district's rationale must be provided in writing to Corporate R/W for informational purposes and a copy placed in the district's excess lands file.					

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CHAPTER 16
STATEWIDE DELEGATION SUMMARY - EXCESS LAND

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CHAPTER/SECTION

		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
16.05 04.04	Marketing Plan if Property Not Sold at First Offering for 75-100 Percent of PSE and at Subsequent Offerings for 60 Percent of PSE					
16.05 04.05	Bid 90 Percent or More of the Unannounced Minimum Acceptable Bid					
16.05 04.05	Bid Less Than 90 Percent of the Unannounced Minimum Acceptable Bid					
16.05 04.06	Variations of Extensions of Option Period					
16.05 04.07	Notice and Terms of Sale (Auction or Sealed Bid) Deviations From Standard Reprinted Notice					
16.05 04.09	Public Sales of Landlocked Parcels Consideration for Access Option in Excess of \$500.00					
16.05 04.09	Form of Agreement Other Than Exhibit 16-EX-5					
16.05 04.19	Lease of Improvements for Resident Engineer's Office on Parcel to Be Sold if the Terms Are Less Than 5 Years, the Monthly Rental Rate if \$5,000 or Less, and the Lease Contains Standard Clauses					
16.05 04.21	Removal of Improvements on Excess Land That Contribute Zero or Negative Value Prior to Public Sale					
16.05 09.01	Direct Conveyances --- Adjustment of Sales Price When Market Value is \$1 Million or More					

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CHAPTER/SECTION

		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
16.05 09.01	Direct Conveyances – Adjustment of Sale Price When Market Value is Less Than \$1 Million					
	• Nonsubstantial Reduction – 15 Percent or Less					
16.05 09.01	• Substantial Reduction – More Than 15 Percent					
16.05 11.00	Transfers of Control and Possession					
16.06 01.00	Federal Highway Administration Requirements on Disposal of Excess Land					
16.07 01.00	Corporate Review of Excess Land Transactions Requiring CTC Approval (but Not CTC Approval of the Transaction)					
16.07 07.00	Cancellation of Sale Prior to CTC Approval					
16.07 08.00	Cancellation of Sale Prior to Recordation					
16.07 08.00	Adjust Sales Price After CTC Approval	NOT DELEGATED				
16.07 09.00	Correction Deeds					
16.08 03.07	Partial Reconveyances and Subordinations					
16.10 03.01	Splitting or Subdividing a Site With Two or More Separate Improvements					
16.10 06.07	Deviation From Standard Agreement					
16.10 11.00	Public Sale Process Other Than Outlined					
16.10 13.00	Buyer Requests to Lease or Sublease the Property or Allow Parties Other Than Buyer to Live On the Property					

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CHAPTER 16
STATEWIDE DELEGATION SUMMARY - EXCESS LAND

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CHAPTER/SECTION

		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
16.10.15.00	Actions Upon Determination of Noncompliance					
16.10.13.00	Buyer Requests to Encumber or Refinance a Property for Purposes Other Than for Repair or Maintenance of the Property					
16.11.08.00	Review and Submittal of Porter Bill Transaction to CTC			NOT DELEGATED		
16.11.09.00	CTC Final Determination That Park Use (Porter Bill Lease) Is Appropriate			NOT DELEGATED		
16.11.10.00	90-Day Extension to Negotiate Lease and Sales Contract Beyond One- Year Period					
16.11.11.00	Porter Bill Lease Execution					
Future Section	Use of Alternative Sales Methods to Maximize the Return on the Disposition of Excess Land			NOT DELEGATED		

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CHAPTER 3 and 14
STATEWIDE DELEGATION SUMMARY - PLANNING & MANAGEMENT

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CHAPTER/SECTION

		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
3.02.04.00	Establishing R/W EA					
3.03.01.02	Override Estimated Capital Outlay Support PYs			NOT DELEGATED		
3.03.02.00	Real Property Services (RPS) PY Approval			NOT DELEGATED		
3.03.03.00	Increases to RPS PY Resources			NOT DELEGATED		
3.04.04.05	Federal Participation in R/W					
3.04.04.07	Increase/Decrease Programming			NOT DELEGATED		
3.04.05.00	Allocation of Funds for R/W Capital Plan			NOT DELEGATED		
3.04.06.01	Allocation Increases			NOT DELEGATED		
3.04.14.04	Authorized Amounts to Prime					
3.04.14.04	Authorized Amounts to TRAMS			NOT DELEGATED		
14.01.02.00	Projects Requiring Right of Way Certification					
14.01.04.00	Responsibility for R/W Certification					
14.01.04.02	Certification Rescinded by District					
14.01.06.00	Unusual Project Circumstances			NOT DELEGATED		
14.01.07.00	Modifications to R/W Certifications			NOT DELEGATED		
14.02.05.02	R/W Certification #3, Standard Usage					
14.02.06.00	Special Certification #3 with Work-Around			NOT DELEGATED		
14.02.07.02	R/W Clearance (Special Cert. #3 with Work-Around)					
14.03.09.00	R/W Clearance (Salvable Improvements)					
14.03.13.00	Certifications Authorized Signature					

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CHAPTER 11

STATEWIDE DELEGATION SUMMARY - PROPERTY MANAGEMENT

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CHAPTER/SECTION

		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
11.01.04.01	No Re-Rent Policy on Residential Units: <ul style="list-style-type: none"> Exception to Establish a No Re-Rent Policy, if Project Is in the STIP or SHOPP and Has Programmed Funds for R/W Activities Separate Written Approval From the DD Is Required to Institute No Re-Rent Policy in the R/W Stage RAP Study Separate Written Approvals From the DD and R/W Are Required to Institute No Re-Rent Policy Submitted Separately From R/W Stage RAP Study 					
11.01.04.02	No Re-Rent Policy on Nonresidential Units: <ul style="list-style-type: none"> Justification and Approval Required Are the Same as for Residential Units (Section 11.01.04.01) 					
11.02.06.00	Establishing New Accounts – Modify Standard Forms to Comply With Actual Conditions or When Special Situations Arise					
11.03.03.00	Approval to Dispose of a Property at Variance With the Approved IDA					
11.03.08.00	Approval to Pay Mutual Water Company Stock Assessment					
11.04.01.00	Granting Grantors and Inherited Tenants Longer Free-Occupancy Period					
11.04.03.00	Approval for a Flat Rate for Commercial and Industrial Leases in a Stable Market					
11.07.10.00	Approval of All Residential and Nonresidential Rental Agreements					
11.07.16.00	Modification of Standard Clauses of Rental Agreement for Vacant Land or Land With Improvements Retained by Grantor.					
11.10.03.02	Maintenance Expenditures on Rented State-Owned Property Shall Be Allowed When It Would Be in the State's Best Interest as Follows: <ul style="list-style-type: none"> Authorization of Major Repairs on Commercial or Industrial Leases Authorization to Make Improvements or Repairs on Properties Under Master Tenancy Agreement Authorization to Make Improvements or Repairs on Properties Under Agricultural Lease 					

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CHAPTER 11

STATEWIDE DELEGATION SUMMARY - PROPERTY MANAGEMENT

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CHAPTER/SECTION

		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
11.10.09.04	Rehabilitation of Properties – Contracts Over \$100,000					
11.12.06.00	Lease Approval by State: Residential, Nonresidential and Nonairspace Leases					
11.12.10.00	Construction of Improvements By Lessee When It Will Not Result in a RAP Problem or Obligation to the State, But Will Result in a Net Profit to the State or Other Public Benefit					
11.12.13.02	Approval of Notice of Cancellation for More Than 90 Days of Interim Lease to a City or County Under S&H Code 104.7					
11.13.05.00	Approval of All Master Tenancy Agreements					
11.14.05.00	New Outdoor Advertising Structure Agreements for More Than 5 Years					
11.15.06.00	Review the Fire and Hazard Insurance Required by Lessor on Temporary Facilities Leases					
11.15.09.00	Execution of State-as-Lessee Lease Agreements					
11.16.03.00	Approval of Property Manager to Transfer Improvements to Clearance Status					
11.16.04.00	Approval of Financial Analysis on Advance Transfer to Clearance Status					
11.17.05.00	Exception to Requirement to Remove Underground Tanks					
11.17.07.00	Approval of New Lease and Lease Renewal for a Parcel Confirmed to Contain Hazardous Waste					
11.18.03.00	Responsibility for Employee Housing					

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CHAPTER 10
STATEWIDE DELEGATION SUMMARY - RELOCATION ASSISTANCE PROGRAM

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CHAPTER/SECTION

		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
10.01.09.05	Waiver of DS&S Standards				NOT DELEGATED	
10.01.09.06	Displaced Person - Constructive Occupancy				NOT DELEGATED	
10.01.11.00	Assurances, Monitoring, and Corrective Action				NOT DELEGATED	
10.01.16.00	Time Extensions to Occupy Replacement Housing					
10.02.03.00	Time Limit to File Appeal (Extensions)					
10.02.09.02	Direct Appeals to Statewide Relocation Appeals Hearing Officer or Board				NOT DELEGATED	
10.02.09.05	Relocation Appeals Heard by Statewide Appeals Hearing Officer or Board				NOT DELEGATED	
10.03.03.09	Urgent Need					
10.06.03.00	Approval of Claim					
10.06.06.00	Delivery of Checks					
10.06.08.00	Time for Filing Claims (Extension)					
10.07.01.00 (10.08.02.00)	Payment for More than One Move/Transportation Costs Beyond 50 Miles					
10.07.01.00 (10.08.05.00)	Storage of Personal Property for Longer Than 12 Months					
10.12.04.03	Approval of Replacement Housing Cos: Determinations					
10.12.07.00	Valuation Method Other Than "Three Comparables" Method					
10.13.06.00	Payment Methods					
10.15.05.07	Rental of Vacant Mobile Home Spaces					
10.16.03.00	Rescinded Route and Design Change Excess Land (Also RARF 94-5)					

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CHAPTER 13
STATEWIDE DELEGATION SUMMARY - UTILITY RELOCATIONS

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		North Region	Central Region	District 4	Southern Svc Unit (D-23)	District 11
13.05.00.00	Report of Investigation (ROI) Package Approval – All *					
13.01.02.01						
13.14.02.00	Federal Aid Procedures – Utility Relocations Falling Within the Scope of 23 CFR 645.119(b)			NOT DELEGATED (Retained by FHWA)		
13.04.08.00	Liability Undetermined			NOT DELEGATED		
13.06.00.00	Notice to Owner *					
13.07.00.00	Utility Agreements *					
13.11.02.01	Joint Use Agreements (JUA)					
13.11.04.00						
13.11.02.02	Consent to Common Use Agreements (CCUA)					
13.11.04.00						
13.11.07.02	Acquired in State's Name, Director's Easement Deeds Over \$15,000 (CTC Approval Required)			NOT DELEGATED		
13.14.02.00	FHWA Specific Authorization to Proceed * **					
13.01.02.01						
13.14.08.00	FHWA Approval of Utility Agreements * **					
13.01.02.01						
13.14.11.00	Utility Owner's Consulting Engineer					

* Except those falling within the scope of 23 CFR 645.119 (b) and Liability Undetermined

** Per agreement with FHWA these may not be delegated below Senior where the approval includes Federal reimbursement.

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